

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 04CV12257NG

VERMONT MUTUAL INSURANCE)
COMPANY, as Subrogee of)
Robert and Nancy McNeil, and)
ROBERT and NANCY MCNEIL,)
Plaintiffs)
vs.)
HAMILTON BEACH PROCTOR-)
SILEX, INC.,)
Defendant)

**CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D) (3) (a) AND (b) OF
PLAINTIFFS, VERMONT MUTUAL INSURANCE COMPANY, AS SUBROGEE
OF ROBERT AND NANCY MCNEIL, AND ROBERT AND NANCY MCNEIL**

Plaintiffs, Vermont Mutual Insurance Company, as Subrogee of Robert and
Nancy McNeil, Robert and Nancy McNeil and their counsel, Monahan & Associates,
P.C. hereby certify and affirm that they have conferred:

(a) with a view of establishing a budget for the cost of conducting the full
course – and various alternative courses – of litigation; and,

(b) to consider the resolution of litigation through the use of alternative
dispute resolution programs such as those outlined in Local Rule 16.4.

**Vermont Mutual Insurance Company,
as Subrogee of Robert and Nancy
McNeil, and Robert and Nancy McNeil**

MONAHAN & ASSOCIATES, P.C.

s/ Elaine Bedard

s/ Douglas F. Hartman

By: Elaine Bedard, SCLA
Claims Analyst
Vermont Mutual Insurance Company

By: Douglas F. Hartman
Counsel for Plaintiffs